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14 UNITED STATES DISTRICT COURT

15 CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

16 JENNY LISETTE FLORES, *et al.*,

17) Case No. CV 85-4544 DMG (AGR^{xx}_{SEP})

18 Plaintiffs,

19) **PLAINTIFFS' POSITION RE EXTENSION**

20 - VS -

21) **OF ORDER APPOINTING SPECIAL**

22 WILLIAM BARR, ATTORNEY GENERAL,
23 U.S. DEPARTMENT OF JUSTICE, *et al.*,

24) **MASTER/INDEPENDENT MONITOR**

25 Defendants.

26) **[DOC. # 494]**

27) Hearing: N/A

28)

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1 Pursuant to the Court’s Order Appointing Special Master/Independent Monitor
2 (“Order”), [Doc. # 494], the Special Master/Independent Monitor (“Monitor”) has
3 submitted a Notice of Request for Extension for an additional six (6) month term,
4 under the terms contemplated by Section C.2 of the Order (“Notice re Extension”).
5 [Doc. # 673].¹

6
7 The events leading to the Court’s Order are described in the Order at 1-6. More
8 recent events and motions have shown the need for an extension of the Order. Plaintiffs
9 support the extension sought by the Monitor though believe it will require more than
10 six months to arrive at and implement policies and practices so Defendants are in
11 substantial compliance with the Settlement.

12
13 To achieve and then maintain relatively consistent substantial compliance
14 requires several steps including (i) an assessment by the Monitor and Class Counsel
15 (and Defendants’ counsel) of the written instructions and training currently provided to
16 officers whose duties require compliance with the Settlement, and (ii) an assessment of
17 the extent to which compliance is *or is not* currently recorded, and understanding what
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24 1 Requesting an extension of the Monitor’s term for an additional term shall be
25 “based on specific and ongoing concerns regarding Defendants’ compliance with
26 the June 27, 2017 and/or July 30, 2018 Orders, or other Orders that the Court may
27 issue within the Term.” Order at 8. While not clearly stated in the Order, we assume
28 the spirit of the Order and its intent is also served by a request based on ongoing
concerns regarding Defendants’ compliance with the terms of the Settlement itself.

1 data *should be* recorded so agency supervisors, the Monitor, any experts appointed by
2 the Monitor, and Plaintiffs' counsel can reasonably accurately assess compliance with
3 the Settlement. Data recording, review, and analysis is an efficient and cost-effective
4 way for all concerned to monitor compliance.

5 In addition to resolving the matters now before the Monitor, in the coming
6 period Plaintiffs will seek to address and resolve areas of non-compliance and
7 enhanced data collection for supervising, training, and monitoring purposes.

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11 Respectfully submitted,

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13 Dated: September 26, 2019

14 */s/Peter Schey*
15 *Class Counsel for Plaintiffs*

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17 CONSTITUTIONAL LAW
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CERTIFICATE OF SERVICE

I, Peter Schey, declare and say as follows:

I am over the age of eighteen years of age and am not a party to this action. I am employed in the County of Los Angeles, State of California. My business address is 256 S. Occidental Blvd., Los Angeles, CA 90057, in said county and state. L
SEP

On September 26, 2019, I electronically filed the following document(s):

**PLAINTIFFS' POSITION RE EXTENSION OF ORDER APPOINTING SPECIAL
MASTER/INDEPENDENT MONITOR [DOC. # 494]**

with the United States District Court, Central District of California by using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system.

/s/*Peter Schey*

Attorney for Plaintiffs